

**DECLARATION OF INVENTOR UTILITY PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ROTARY SPRINKLER, the specification of which was filed October 22, 2001 as Serial Number 10/014,916.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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10014916-032002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 26.2.B98/USA

COPY OF PAPERS
ORIGINALLY FILED

In re Application of:)
Jeff R. McKenzie et al.)
Serial No. 10/014,916)
Filed October 22, 2001) Group Art Unit 3752
For ROTARY SPRINKLER) Examiner
)

ESTABLISHMENT OF ASSIGNEE'S RIGHTS UNDER 37 C.F.R. §3.73
AND POWER OF ATTORNEY FROM ASSIGNEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Toro Company is the assignee of the entire right, title, and interest in and to the above-identified invention, and in and to the above-identified U.S. patent application relating thereto, by virtue of an Assignment from the original inventors.

Pursuant to 37 C.F.R. §3.73, The Toro Company has the right to prosecute the above-identified application by virtue of this Assignment. A copy of this Assignment is attached. The original Assignment is being concurrently forwarded to the U.S. Patent and Trademark Office for recording. The Toro Company hereby states that its representatives have reviewed the Assignment and hereby further certifies that, to the best of

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Certificate under 37 C.F.R. 1.8. I hereby certify that this correspondence is being deposited with sufficient postage with the U.S. Postal Service, as First Class Mail, in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on 3/14/02.

James W. Miller
James W. Miller

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it's knowledge and belief, title to the above-identified patent application is in The Toro Company.

In furtherance of its right under 37 C.F.R. §3.71 to prosecute the above-identified patent application to the exclusion of the original inventors, The Toro Company hereby appoints the following as its attorneys or agents to transact all business in the Patent and Trademark Office concerning the above-identified U.S. patent application:

James W. Miller, Registration No. 27,661; R. Lawrence Buckley, Registration No. 30,732; Donald S. Trevarthen, Registration No. 35,718; and their Washington D.C. associate, Douglas R. Hanscom, Registration No. 26,600, telephone number (703) 415-1500.

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Respectfully submitted,

By:

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Vice President, Secretary
and General Counsel
The Toro Company

March 12, 2002

Date